

AMENDMENT NO. 769

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of amendment No. 769 offered by the Senator from Arizona [Mr. KYL].

Mr. CHAFEE. Mr. President, I move to table the Kyl amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table amendment No. 769. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 79, nays 21, as follows:

[Rollcall Vote No. 162 Leg.]

YEAS—79

Abraham	Frist	McConnell
Akaka	Glenn	Mikulski
Baucus	Gorton	Moseley-Braun
Bennett	Graham	Moynihan
Biden	Grams	Murray
Bingaman	Grassley	Nunn
Bond	Gregg	Packwood
Boxer	Harkin	Pell
Bradley	Hatch	Pressler
Breaux	Hatfield	Pryor
Bumpers	Heflin	Reid
Burns	Helms	Roth
Chafee	Hollings	Santorum
Coats	Hutchison	Sarbanes
Cohen	Inouye	Shelby
Conrad	Jeffords	Simon
Coverdell	Johnston	Simpson
D'Amato	Kassebaum	Smith
Daschle	Kennedy	Snowe
DeWine	Kerrey	Specter
Dodd	Kerry	Thomas
Dole	Lautenberg	Thompson
Dorgan	Leahy	Thurmond
Exon	Levin	Warner
Faircloth	Lieberman	Wellstone
Feinstein	Lugar	
Ford	Mack	

NAYS—21

Ashcroft	Domenici	Lott
Brown	Feingold	McCain
Bryan	Gramm	Murkowski
Byrd	Inhofe	Nickles
Campbell	Kempthorne	Robb
Cochran	Kohl	Rockefeller
Craig	Kyl	Stevens

So the motion to lay on the table the amendment (No. 769) was agreed to.

Mr. PRYOR. Mr. President, seeing no other Members of the Senate seeking recognition at this time, I would like to ask unanimous consent that I may be allowed to speak as in morning business, not to exceed 12 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDATION TO FORMER PRESIDENT BUSH

Mr. PRYOR. Mr. President, I thank the Chair for recognizing me and I thank the distinguished managers for allowing me to speak.

Mr. President, this morning's Washington Post and many television and radio news programs throughout America and perhaps the world, reported on what I would like to call a portrait in courage, and the person standing tall in that portrait was none other than former President George Bush.

Like many of my friends and family in Arkansas, former President Bush is a gun enthusiast. He is a long-time member of the National Rifle Association.

But like many other NRA members, President Bush was deeply offended by a recent NRA fundraising letter signed by Mr. Wayne LaPierre, the NRA's executive vice president. The LaPierre letter referred to several law enforcement officials: "Jack-booted thugs who harass, intimidate, even murder law-abiding citizens." The NRA referred to Federal agents "wearing Nazi bucket helmets and black storm trooper uniforms to attack law-abiding citizens."

This irresponsible, inflammatory NRA fundraising letter incited the former President of the United States to the point that he wrote NRA President Thomas Washington to resign his NRA membership.

Former President Bush's letter reads as follows:

Your broadside against Federal agents deeply offends my own sense of decency and honor and it offends my concept of service to our country.

President Bush continues in his letter:

It indirectly slurs a wide array of government law enforcement officials who are out there day and night, laying their lives on the line for all of us.

Mr. President, I am asking unanimous consent that an excerpt from the story in the Washington Post about President Bush resigning his membership from the National Rifle Association be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

But his resignation letter was more personal than political.

"Al Whicher, who served on my [Secret Service] detail when I was vice president and president, was killed in Oklahoma City," Bush wrote. "He was no Nazi. He was a kind man, a loving parent, a man dedicated to serving his country—and serve it well he did."

"In 1993, I attended the wake for ATF agent Steve Willis, another dedicated officer who did his duty. I can assure you that this honorable man, killed by weird cultists, was no Nazi." Willis was one of four federal agents killed in the initial February 1993 raid on the Branch Davidian compound near Waco, Tex.

"John Magaw, who used to head the [Secret Service] and now heads ATF, is one of the most principled, decent men I have ever known," Bush wrote. "He would be the last to condone the kind of illegal behavior your ugly letter charges. The same is true for the FBI's able Director Louis Freeh. I appointed Mr. Freeh to the federal bench. His integrity and honor are beyond question."

The letter concluded, "You have not repudiated Mr. LaPierre's unwarranted attack. Therefore, I resign as a life member of NRA, said resignation to be effective upon your receipt of this letter. Please remove my name from your membership list. Sincerely, George Bush."

GATT AND GENERIC DRUGS

Mr. PRYOR. Mr. President, when we in Congress voted on the GATT treaty

recently, we all knew that we were breaking down trade barriers and leveling the playing field in international trade.

Make no mistake, I believe that Americans will benefit from this agreement when it is implemented in June. But never, Mr. President, in our wildest dreams or imagination, would we have ever thought we were voting to give special treatment and a \$6 billion windfall to the prescription drug industry on one hand and higher drug prices to American consumers on the other. Yet that is exactly what is happening.

Mr. President, here is what has happened to bring us to this point today. Last year, the United States agreed under GATT to a new patent law, good for 20 years from filing. Our old patents were for 17 years, the effective date from their date of issue.

We also agreed under GATT to give existing patents the longer of the two patent terms. This extension applies to all industries.

At the same time, we knew that generic companies of all kinds all over America had already made significant investments based upon old patent expiration dates. These companies were prepared to introduce their competitively priced drug products just as the brand-name monopolies end.

We did not want to jeopardize the jobs and the factories which were at stake. So we decided under GATT to adopt a formula under which these generic companies could proceed with the introduction of their products if they paid the patent holders "equitable remuneration" for the period of time left on their patents.

Mr. President, here is where this story really begins. It just so happens that over 100 prescription drugs now protected by patents will be getting extra patent life under GATT.

For example, Glaxo's patent for the world's best selling drug, Zantac, would have run out December 5, 1995, but will now last until 1997. Generic drug companies have already spent millions of dollars to prepare to market lower cost, equivalent drugs on that date, giving consumers of America a tremendous price break.

But a small handful of brand-name pharmaceutical companies have objected. They are saying, "Thank you for the extra patent life. We really appreciate that part of GATT. But you should know there is an obscure provision in U.S. drug law which we think protects us from the rest of the GATT treaty. We are sorry our generic competitors have invested heavily in their business, but they do not deserve the protections that are rightfully theirs under GATT. So we guess we will not have any competition for quite some time."